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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

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Division Director

Outgoing
C0070033
#3365
OK

June 9, 2010

Dave Shaver, Manager
Andalex Resources, Inc.
P.O. Box 910
East Carbon, Utah 84520-0910

Subject: Response to Division Order DO-04A (Windblown Fines), Andalex Resources, Inc.,
Wildcat Loadout, Permit # C/007/0033, Task ID #3365

Dear Mr. Shaver:

The Division sent you a list of deficiencies on December 10 and 12, 2009 following our Technical Review of your Response to Division Order DO-04A (Wind Blown Fines). To date the Division has not received your response to these deficiencies. The Division also understands that ownership of the Wildcat Loadout may be transferred to Intermountain Power Agency (IPA) in the near future. It is critical that you respond to these deficiencies immediately in order to comply with the requirements of the Division Order. Resolution of the Division Order currently rests with Andalex Resources, Inc. and should occur now in order to ensure a smooth transfer of permit C/007/0033 to IPA under R645-303-300. We understand that IPA may have different plans for operating the Wildcat Loadout, however, should IPA want to change how operations or reclamation are to be conducted at the site in the future, they will need to submit an application for permit change after they have acquired the permit.

Please resubmit the Response to Division Order DO-04 by July 29, 2010. Your submittal should address the deficiencies identified for Tasks 3365 (Response to DO-04A) and 3533 (Ownership and Control), and include information about the management of water treatment residues transported to Wildcat Loadout from other facilities (e.g., Crandall Canyon Mine).

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Dave Shaver
June 9, 2010

Thank you for your cooperation in this matter. If you have any questions please contact Kevin Lundmark at 801-538-5352 or Daron Haddock at 801-538-5325.

Sincerely,

A handwritten signature in black ink, appearing to read "Daron Haddock". The signature is fluid and cursive, with the first name "Daron" and last name "Haddock" clearly distinguishable.

Daron Haddock
Permit Supervisor

DRH/KWL/sqs
Attachment
cc: Price Field Office
O:\007033.WCL\FINAL\WG3533\DO-04_LETTER.DOC

Deficiency List
Task ID #3533
Change in Ownership and Control, Wildcat Loadout

The Ownership and Control information included in this submittal was reviewed by Angela Nance (801) 538-5264.

R645-301-112.330:

- **Murray Energy Corporation**

1. The AVS database shows a Begin Date of 08/01/08 for **Robert D. Moore, V.P.** This does not match the Begin Date of 12/17/04 listed in the submittal. *Please address this discrepancy.*
2. The AVS database shows a Begin Date of 9/11/07 for **Robert D. Moore, CFO.** This does not match the Begin Date of 04/23/07 listed in the submittal. *Please address this discrepancy.*
3. The AVS database shows an End Date of 8/27/09 for **Andrew D. Weissman, Director.** The submittal does not indicate an End Date. *Please address this discrepancy.*
3. The AVS database shows the following officers as active; however, this information is not listed in the submittal. *Please address this discrepancy.*

VanBever, G.	Assistant Treasurer	10/22/07
Cornelius, B.	Vice President	08/01/08
Forrelli, John	Vice President	09/11/07
Heidelback, Roy	Vice President	09/11/07
Murray, Robert	Vice President	9/11/07
Murray, Roy	Vice President	09/11/07

- **UtahAmerican Energy, Inc.**

1. The submittal indicates an End Date of 12/11/09 for **Peter J. Vuljanic, Interim President.** This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. The AVS database shows David Hibbs as a Director with a Begin Date of 12/11/09. This information is not listed in the submittal. *Please address this discrepancy.*
3. The footnote indicates that Coal Resources, Inc. is incorrectly listed as a shareholder of UEI in the AVS database. AVS does not show a link between Coal Resources, Inc. and UEI. *This footnote should be removed.*

- **Andalex Resources, Inc.**

1. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, President and CEO.** This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*

2. The submittal indicates and End Date of 11/05/09 for **P. Bruce Hill, Director**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*

- **AMCA Coal Leasing, Inc.**

1. The submittal indicates that **David W. Hibbs, President** began on 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. The submittal shows **Peter J. Vuljanic, Interim President** with a Begin Date of 11/06/09 and an End Date of 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
3. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, Director**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*

- **Andalex Resources Management, Inc.**

1. The submittal indicates that **David W. Hibbs, President** began on 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. The submittal shows **Peter J. Vuljanic, Interim President** with a Begin Date of 11/06/09 and an End Date of 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
3. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, President and CEO**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
4. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, Director**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*

- **Genwal Resources, Inc.**

1. The submittal indicates that **David W. Hibbs, President** began on 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. The submittal shows **Peter J. Vuljanic, Interim President** with a Begin Date of 11/06/09 and an End Date of 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
3. The submittal indicates a Begin Date of 12/16/06 for **P. Bruce Hill, President**. The AVS database shows a Begin Date of 12/14/94. *Please address this discrepancy with a Secretary's Certificate.*
4. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, CEO**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*

5. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, Director**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
6. The submittal shows a Begin Date of 12/16/06 for **Robert D. Moore, Treasurer** and **Michael O. McKown, Secretary**. The AVS database shows a Begin Date of 2/16/06. *Please address this discrepancy.*
7. The submittal shows an End Date of 08/18/06 for **Douglas H. Smith, Former Director**. AVS shows an End Date of 12/16/06. *Please address this discrepancy.*
8. The submittal shows an End Date of 05/17/05 for **John Bradshaw, VP**. AVS shows 05/18/05. *Please address this discrepancy.*

- **West Ridge Resources, Inc.**

1. The submittal indicates that **David W. Hibbs, President** began on 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. The submittal shows **Peter J. Vuljanic, Interim President** with a Begin Date of 11/06/09 and an End Date of 12/11/09. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
3. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, President and CEO**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
4. The submittal shows a Begin Date of 08/18/06 for **Douglas H. Smith, President**. AVS shows a begin date of 4/15/98. *Please address this discrepancy.*
5. The submittal indicates an End Date of 11/05/09 for **P. Bruce Hill, Director**. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
6. The submittal shows a Begin Date of 04/01/98 for **Peter B. Green, Ronald C. Beedie, and Douglas H. Smith**. AVS shows a Begin Date of 12/13/94. *Please address this discrepancy with a Secretary's Certificate.*
7. The submittal shows a Begin Date of 04/15/98 for **Peter B. Green and Samuel C. Quigley**. AVS shows a Begin Date of 01/09/95. *Please address this discrepancy with a Secretary's Certificate.*
8. *Please address the typo on the End Date for Douglas H. Smith, Former President.*

- **AMCOAL Holdings, Inc.**

1. The submittal indicates a revised date of 2/14/05, yet the latest update is listed as 3/1/05. *Please update the Revised Date.*

- **The American Coal Company**

1. The submittal indicates a revised date of 2/14/05, yet the latest update is listed as 3/1/05. *Please update the Revised Date.*

- **Avonmore Rail Loading, Inc.**

1. The submittal indicates a Vacant position for President. AVS indicates **Bruce Hill, President** with a Begin Date of 06/25/01. *Please address this discrepancy.*
2. The submittal indicates a revised date of 2/14/05, yet the latest update is listed as 3/1/05. *Please update the Revised Date.*

- **Belmont Coal, Inc.**

1. The submittal indicates a Begin Date of 01/02/02 for **Maynard St. John, Vice President**. AVS indicates a Begin Date of 01/02/01. *Please address this discrepancy.*

- **Canterbury Coal Company**

1. The submittal indicates that **James R. Turner, Jr.** is the Assistant Secretary with a Begin Date of 06/01/08. This information is not in AVS. *Please address this discrepancy with a Secretary's Certificate.*
2. AVS indicates that **Elmer Mottillo** is the Assistant Secretary with a Begin Date of 01/10/03. This information is not in the submittal. *Please address this discrepancy.*
3. The submittal indicates a revised date of 3/6/07, yet the latest update is listed as 6/1/08. *Please update the Revised Date.*

- **Coal Resources Holdings Co.**

1. Robert Eugene Murray is not listed in AVS as being a 20% shareholder.

- **Coal Resources, Inc.**

1. AVS shows Begin Dates for Directors **Robert E. Murray (01/28/88)**, **Henry W. Fayne (09/11/07)**, **Andrew Weissman (09/11/07)**, and **Richard L. Lawson (09/11/07)**. This information is not in the submittal. *Please address this discrepancy.*

- **Energy Resources, Inc.**

1. AVS shows an End Date of 05/30/08 for **Elmer A. Mottillo, Treasurer**. This information is not in the submittal. *Please address this discrepancy.*
2. AVS shows **James Turner Jr., Treasurer** with a Begin Date of 05/30/08. This information is not in the submittal. *Please address this discrepancy.*
3. The submittal indicates a revised date of 2/14/05, yet the latest update is listed as 3/1/05. *Please update the Revised Date.*

- **KenAmerican Resources, Inc.**

1. AVS shows **Mark Nelson, President** with a Begin Date of 03/18/09. This

information is not in the submittal. *Please address this discrepancy.*

2. AVS indicates an End Date of 12/08/08 for **Robert N. Sandidge, President**. This information is not in the submittal. *Please address this discrepancy.*

- **Maple Creek Mining, Inc.**

1. AVS shows **Robert Kudlawiec** as **President** with a Begin Date of 09/12/08. This information is not listed in the submittal. *Please address this discrepancy.*
2. AVS shows an End Date of 09/11/08 for **Paul B. Piccolini, President**. This information is not listed in the submittal. *Please address this discrepancy.*
3. *Please include a Revised Date on this page.*

- **Monvalley Transportation Center, Inc.**

1. AVS shows a Begin Date of 08/28/05 for **Robert E. Murray, Director**. This information is not in the submittal. *Please address this discrepancy.*
2. *Please include a Revised Date on this page.*

- **OhioAmerican Energy Incorporated**

1. AVS shows an End Date of 12/01/07 for **D. Michael Jamison, President**. This information is not in the submittal. *Please address this discrepancy.*

- **The Ohio Valley Coal Company**

1. AVS shows a Begin Date of 03/10/95 for **Robert E. Murray, Director**. This information is not in the submittal. *Please address this discrepancy.*

- **Ohio Valley Resources, Inc.**

1. AVS shows a Begin Date of 11/01/99 for **Robert E. Murray, Director**. This information is not in the submittal. *Please address this discrepancy.*
2. The submittal indicates a Vacant position for Secretary. AVS shows **Michael Gardner** in this position. *Please address this discrepancy.*
3. The submittal indicates a revised date of 3/6/07, yet the latest update is listed as 05/01/07. *Please update the Revised Date.*

- **The Ohio Valley Transloading Company**

1. The submittal indicates a revised date of 3/6/07, yet the latest update is listed as 05/01/07. *Please update the Revised Date.*

- **The Oklahoma Coal Company**

1. AVS shows a Begin Date of 04/17/92 for **Robert E. Murray, Director**. This

information is not in the submittal. *Please address this discrepancy.*

- **Oneida Coal Company, Inc.**

1. AVS shows a Begin Date of 02/18/92 for **Robert E. Murray, Director**. This information is not in the submittal. *Please address this discrepancy.*

- **PennAmerican Coal, Inc.**

1. AVS shows **P. Bruce Hill, President** with a a Begin Date of 06/25/01. This information is not in the submittal. *Please address this discrepancy.*

- **Pennsylvania Transloading, Inc.**

1. AVS shows a Begin Date of 11/18/88 for **Robert E. Murray, Director**. This information is not in the submittal. *Please address this discrepancy.*

- **Pinski Corp.**

1. The submittal shows the President and General Manager as Vacant. AVS shows **P. Bruce Hill** in this position with a Begin Date of 09/05/00. *Please address this discrepancy.*

- **Spring Church Coal Company**

1. AVS shows a **P. Bruce Hill** as President with a Begin Date of 06/25/01. The submittal shows Robert D. Moore as President with a Begin Date of 05/26/07. *Please address this discrepancy.*
2. AVS shows **Robert D. Moore** as Secretary with a Begin Date of 06/25/01. The submittal shows Michael O. McKown as Secretary with a Begin Date of 05/26/07. *Please address this discrepancy.*
3. AVS shows **Elmer Mottillo** as Assistant Secretary with a Begin Date of 01/02/03. The submittal shows James R. Turner, Jr. as Assistant Secretary with a Begin Date of 06/01/08. *Please address this discrepancy.*
4. The submittal indicates a revised date of 2/14/05, yet the latest update is listed as 06/01/08. *Please update the Revised Date.*

- **Sunburst Resources, Inc.**

1. The submittal indicates a revised date of 3/7/07, yet the latest update is listed as 05/01/07. *Please update the Revised Date.*

- **TDK Coal Sales, Incorporated**

1. AVS indicates an End Date of 05/30/08 for **Elmer A. Mottillo, Treasuer**. This

information is not listed in the submittal. *Please address this discrepancy.*

2. AVS shows **James Turner, Jr.** as Treasurer with a Begin Date of 05/30/08. This is not listed in the submittal. *Please address this discrepancy.*
3. The submittal indicates a revised date of 02/14/05, yet the latest update is listed as 3/1/05. *Please update the Revised Date.*

- **UMCO Energy, Inc.**

1. AVS indicates an End Date of 09/11/08 for **Paul B. Piccolini, President**. This information is not listed in the submittal. *Please address this discrepancy.*
2. AVS shows **Robert Kudlawiec** as President with a Begin Date of 09/12/08. This is not listed in the submittal. *Please address this discrepancy.*
3. The submittal indicates a revised date of 3/6/07, yet the latest update is listed as 05/01/07. *Please update the Revised Date.*

- **West Virginia Resources, Inc.**

1. AVS shows an End Date of 12/01/07 for **Anne Besece, Treasurer and Secretary**. This information is not listed in the submittal. *Please address this discrepancy.*
2. AVS shows an End Date of 10/02/06 for **Robert L. Putsock, Assistant Secretary**. This information is not reflected in the submittal. *Please address this discrepancy.*
3. AVS shows **Robert Putsock, Secretary and Treasurer** with a Begin Date of 12/01/07. This information is not in the submittal. *Please address this discrepancy.*
4. AVS shows **Charles Shestak, Vice President** with a Begin Date of 10/02/06. This information is not reflected in the submittal. *Please address this discrepancy.*